

1 LENARD E. SCHWARTZER
2 2850 S. Jones Blvd., Ste 1
3 Las Vegas, NV 89146
4 (702) 307-2022

5 TRUSTEE

6
7
8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF NEVADA**

10 In re) Case No. BK-S 13-18735-MKN
11 SIX STAR CLEANING AND CARPET)
12 SERVICES, INC.) IN PROCEEDINGS UNDER CHAPTER 7
13) TRUSTEE'S STATUS REPORT
14)
15)

16
17 Debtor(s)
18
19
20
21
22
23
24
25
26
27
28

Trustee, LENARD E. SCHWARTZER, hereby provides the following update regarding the above-entitled case:

1. This Case was commenced by the filing of a Chapter 11 bankruptcy petition on October 14, 2013, which was converted to Chapter 7 on September 4, 2014

2. On August 23, 2016, the undersigned was appointed successor Trustee of the above-captioned estate.

3. An asset of the estate is Debtor's award in an arbitration proceeding, by default, against the Laborers International Union of North America Local No. 872, Laborers International Union of North America Local No. 702, and Tommy White (collectively, the "Union"). The Union failed to participate in the grievance hearing, which resulted in an award by the Board of Adjustment against the Union in the amount of \$1,134,149.76, including interest.

4. Special litigation counsel was employed on October 24, 2016 [Doc 236], and is seeking to

1 have the award made into a US District Court judgment. The litigation is captioned *Six Star*
2 *Cleaning and Carpet Services, Inc. et al. v. Laborers International Union of North America Local*
3 *No. 872 et al.* (Case No. 2:11-cv-00524-LDG-CWH) and is pending in the United States District
4 Court for the District of Nevada.

5 5. Successor Trustee filed a Motion for Partial Summary Judgment on September 16, 2016.

6 6. The Union filed its opposition to the Motion for Partial Summary Judgment on
7 October 14, 2016, and Successor Trustee filed his reply on October 28, 2016.

8 7. On September 21, 2017, the District Court issued an order denying the Motion for Partial
9 Summary Judgment and remanding it to arbitration

10 8. Arbitrator dismissed the Debtor's claim against Laborer's Union.


11 9. Motion to Vacate Arbitration Award filed in District Court on September 13, 2020.
12 Motion is based on arbitrator's undisclosed conflict of interest.

13 10. Michael E. Avakian, Esq. withdrew from the US District Court case on August 24, 2018.
14 Yvette Chevalier, Esq. was employed in his place per order entered October 15, 2018 [Doc 268].

15 11. Motion to Reinstate Wimberly, Lawson & Avakian as counsel of record filed with
16 District Court on March 15, 2021

17 12. The Trustee recommends keeping this case open pending the outcome of the
18 investigation of the arbitrator.

19
20 DATED: March 23, 2021

21 
22 LENARD E. SCHWARTZER
23 Trustee
24
25
26
27
28